

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON**

**IN RE: ETHICON, INC., PELVIC REPAIR
SYSTEM PRODUCTS LIABILITY
LITIGATION**

**Master File No. 2:12-MD-02327
MDL 2327**

**JOSEPH R. GOODWIN
U.S. DISTRICT JUDGE**

**MOTION TO EXCLUDE GENERAL-CAUSATION TESTIMONY OF
ROBERT D. MOORE, D.O.**

In accordance with the extension of time agreed to by the parties, Defendants Ethicon, Inc. and Johnson & Johnson (Ethicon) move to exclude certain general-causation testimony of Robert D. Moore, D.O. Dr. Moore is not qualified to offer certain opinion testimony, and some of his proposed opinion testimony is unreliable and irrelevant under the standard set forth in *Daubert v. Merrell Dow Pharm., Inc.*, 509 U.S. 579 (1993), and as expressed by this Court in prior rulings. Ethicon incorporates its Memorandum in Support of Motion to Exclude General-Causation Testimony of Robert D. Moore, D.O., and also the following exhibits:

1. The list of cases to which this motion applies, identified by case style and number, attached as Exhibit A;
2. Letter dated April 27, 2016, which represents the agreement of counsel to extend the filing date of this motion to May 2, 2016, attached as Exhibit B;
3. Rule 26 Expert Report of Robert D. Moore, [D.O.] regarding TVT-O, attached as Exhibit C;

4. Excerpts from the deposition of Robert D. Moore, D.O. taken April 15, 2016, attached as Exhibit D;
5. Article titled *The IUGA/ICS classification of synthetic mesh complications in female pelvic floor reconstructive surgery: a multicenter study*, authored by John Miklos et al., Int'l Urogynecol J, attached as Exhibit E;
6. Abstract titled *Indication and surgical treatment of midurethral sling complications: a multicenter study*, authored by O. Chinthakanan et al., attached as Exhibit F;
7. Abstract titled *Mesh removal following sling/mesh placement: a multicenter study*, authored by O. Chinthakanan et al., attached as Exhibit G;
8. Article titled *Randomized Trial of Tension-Free Vaginal Tape and Tension-Free Vaginal Tape-Obturator for Urodynamic Stress Incontinence in Women*, authored by R. Teo et al., J. Urology, which is attached as Exhibit H; and
9. Article titled *Anatomical variability in the trajectory of the inside-out transobturator vaginal tape technique (TVT-O)*, authored by P. Hinoul et al., attached as Exhibit I.

WHEREFORE, FOR THESE REASONS and as more fully set forth in Ethicon's supporting memorandum of law, Ethicon respectfully requests that this Court enter an order granting Ethicon's Motion to Exclude the General-Causation Testimony of Robert D. Moore, D.O.

Respectfully submitted,

ETHICON, INC. AND
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CERTIFICATE OF SERVICE

I certify that on May 2, 2016, I electronically filed this document with the clerk of the court using the CM/ECF system, which will send notification of this filing to CM/ECF participants registered to receive service in this MDL.

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